



**Robert W. Quinn, Jr.**  
Federal Government Affairs  
Vice President

Suite 1000  
1120 20th Street NW  
Washington DC 20036  
202 457 3851  
FAX 202 457 2545

June 28, 2002

Via Electronic Filing

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW, Room TWB-204  
Washington, DC 20554

Re: Ex Parte Contact  
In the Matter of AT&T Corp. v. Sprint Spectrum d/b/a Sprint PCS, WT  
Docket No. 01-316

Dear Ms. Dortch:

On Wednesday June 26, 2002 and on Thursday 27, 2002, I left telephone messages for Jordan Goldstein, Legal Adviser to Commissioner Copps, to discuss issues related to the foregoing proceeding. I reiterated AT&T's view that the Commission should deny Sprint's petition to permit it to selectively avail itself of regulation in order to recover access charges and grant AT&T's petition for declaratory ruling that the traditional bill and keep regime should be maintained for wireless minutes until such time as the Commission examines the wisdom of changing that regulatory structure in the context of the inter-carrier compensation proceeding.

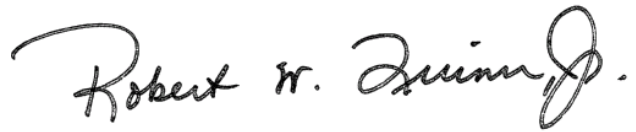
Alternatively, the Commission should rule that only express agreements are permitted in this environment otherwise the Commission will almost certainly be forced to determine the reasonableness of cellular carrier access rates and thus be forced to regulate those charges. I articulated the issues surrounding the ramifications of finding implied contracts, including the certainty that the Commission will be forced to regulate the wireless carrier rates, the probability that these issues will extend into the CLEC access charge realm which the Commission had purportedly settled on a going-forward basis last year, and the potential for having carriers spend millions of dollars attempting to block calls to offending carriers wherever technology permits.

I also emphasized that moving towards implied contracts would represent a material step backwards for the Commission away from the concepts expressed in several recent dockets which have emphasized the policy desire to have carriers recovering costs from their end users. Here, wireless carriers, who do not operate in a calling party network pays infrastructure, are

already recovering terminating costs directly from their end users for calls received. Allowing carriers to assert that they have implied contracts under state law theories could result in decisions which would require interexchange carriers to also pay terminating costs. That would provide wireless carriers with a double recovery of those costs and represent a significant step *away from* a system that the Commission has expressed a policy desire to move towards for the entire industry.

The positions expressed were consistent with those contained in the Comments and ex parte filings previously made in that proceeding. One copy of this Notice is being submitted for each of the referenced proceedings in accordance with the Commission's rules.

Very truly yours,

A handwritten signature in black ink, reading "Robert W. Quinn". The signature is written in a cursive style with a large, stylized "Q" at the end.

cc: Jordan Goldstein